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Cc: ["jworonets@anchorenv.com"](#); [Jim McKenna \(Jim\)](#) ([jim.mckenna@verdantllc.com](#))
Subject: Dispute Deadline
Date: 11/03/2010 06:18 PM

Hi Chip and Eric,

On September 27, 2010, the LWG received EPA's comments on the Benthic Risk Evaluation for the Portland Harbor Site. The LWG is currently working under a deadline to respond to these comments by November 12, 2010 (i.e., the deadline for the LWG to invoke dispute resolution on these directive comments). As you are aware, the LWG and EPA have held a few meetings to discuss these comments, including some detailed conversations about how to assess the reliability of the various models. We also discussed the need to resolve the hit/no hit classifications of the bioassay data because this information is a critical input to the various models.

Last week EPA offered a process by which we would attempt to resolve the benthic risk comments by mid- December 2010. Specifically, EPA proposed that we meet on Thursday, November 4th, to resolve the hit/no hit classifications and for the respective parties to request information on the Logistic Regression Models. By December 1st the parties would attempt to resolve the reliability issues associated with the various models, and then make a decision as to which model(s) to use in the revised BERA.

The LWG agrees to work with EPA on this process and its associated timeline, and respectfully requests an extension of the dispute deadline to December 17th, 2010. Please let us know if this request for extension is acceptable to the Agency.

Thank you,

Bob